

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	
THE GREAT ATLANTIC & PACIFIC TEA)	Case No. 15-23007 (RDD)
COMPANY, INC. <i>et. al.</i> ¹)	(Jointly Administered)
)	
Debtor.)	
)	

**NOTICE OF APPEARANCE AND
REQUEST FOR SERVICE OF NOTICES AND PAPERS**

PLEASE TAKE NOTICE that the undersigned appears as counsel for **New Jersey Self-Insurers Guaranty Association** in the above-captioned cases pursuant to section 1109(b) of title 11 of the United States Code (the "Bankruptcy Code") and Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"); and hereby requests pursuant to Bankruptcy Rules 2002 and 9007 and Section 342 and 1109(b) of the Bankruptcy Code, that copies of all notices given or filed in the above-captioned cases, and all papers that are required to be served in this case be given to and served upon the following, at the address set forth below:

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¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Two Thousand Eight Broadway, Inc. (0986); The Great Atlantic & Pacific Tea Company, Inc. (0974); A&P Live Better, LLC (0799); A&P Real Property, LLC (0973); APW Supermarket Corporation (7132); APW Supermarkets, Inc. (9509); Borman's, Inc. (9761); Delaware County Dairies, Inc. (7090); Food Basics, Inc. (1210); Kwik Save Inc. (8636); McLean Avenue Plaza Corp. (5227); Montvale Holdings, Inc. (6664); Montvale-Para Holdings, Inc. (2947); Onpoint, Inc. (6589); Pathmark Stores, Inc. (9612); Plainbridge LLC (5965); Shopwell, Inc.(3304); Super Fresh Food Markets, Inc. (2491); The Old Wine Emporium of Westport, Inc. (0724); Tradewell Foods of Conn., Inc. (5748); and Waldbaum, Inc. (8599).

PLEASE TAKE FURTHER NOTICE that the foregoing demand includes not only the papers referred to in the Rules specified above, but also includes, without limitation, Orders and notices of any application, motion, petition, pleading, request, plan, disclosure statement, request, complaint or demand, whether formal or informal, whether written or oral, or whether transmitted or conveyed by mail, delivery, telephone, telegraph, telex or otherwise which affects or seeks to affect the above captioned cases and any proceedings therein, including, without limitation, those:

1. Which affect or seek to affect in any way, any rights or interests of any party in interest in these cases;
2. Which affect or seek to affect in any way, any of the interested parties' rights or interests with respect to (a) the debtor; (b) property or proceeds thereof in which the trustee or debtor-in-possession may claim an interest, or (c) property or proceeds thereof in the possession, custody or control of the interested parties which the debtor may seek to use; or which require or seek to require any delivery of property, payment or any other conduct by the parties in interest.

The filing of this appearance is not intended and should not be construed as a waiver of the New Jersey Self-Insurers Guaranty Association Seventh Amendment right to trial by jury, if, as and when such right may be relevant in the course of these proceedings. This appearance is intended to be a special appearance to the extent that a general appearance would constitute such a waiver.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance and Request for Service of Notice and Papers nor any subsequent appearance, pleading, claim, proof of claim, document, suit, motion nor any other writing or conduct should be taken to constitute a

waiver of any right of New Jersey Self-Insurers Guaranty Association:

(i) to have any and all final orders in any and all non-core matters entered only after de novo review by a United States District Court Judge; (ii) to trial by jury in any proceeding as to any and all matters so triable herein, whether or not the same be designated legal or private rights, or in any case, controversy or proceeding related hereto, notwithstanding whether or not such matters are designated as "core proceedings" pursuant to 28 U.S.C. § 157(b)(2)(H), and whether such jury trial is pursuant to statute or the United States Constitution; (iii) to have the reference of this matter withdrawn by the United States District Court in any matter or proceeding subject to mandatory or discretionary withdrawal; and (iv) to rights, claims, actions or defenses, setoffs, recoupments or other matters to which this party is entitled under any agreements or at law or in equity or under the United States Constitution.

Dated: July 23, 2015

**McELROY, DEUTSCH, MULVANEY &
CARPENTER, LLP**

*Attorneys for New Jersey Self-Insurers Guaranty
Association*

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